

**SUPREME COURT MINUTES  
THURSDAY, FEBRUARY 19, 2004  
SAN FRANCISCO, CALIFORNIA**

**S102965**

E027589 Fourth Appellate District,  
Division Two

**PEOPLE v. HOLMES**

Opinion filed: Judgment affirmed in full

Majority Opinion by Moreno, J.

--- Joined by George, C.J., Kennard, Baxter,  
Werdegarr, Chin & Brown, JJ.

**S103417**

A094405 First Appellate District,  
Division Four

**MARTIN v. SZETO**

Opinion filed: Judgment reversed

Opinion by Werdegarr, J.

--- joined by George, C.J., Kennard, Baxter,  
Chin, Brown, Moreno, JJ.

**S122421**

B172073 Second Appellate District,  
Division Three

**WIRELESS CONSUMERS ALLIANCE v. S.C. (LOS  
ANGELES CELLULAR TELEPHONE COMPANY  
Petition ordered withdrawn**

pursuant to written request of petitioner.

**S032146****PEOPLE v. DANKS (JOSEPH)**

Time extended to consider modification or rehearing

to April 30, 2004, or the date upon which  
rehearing is either granted or denied, whichever  
occurs first.

**S121543**

H023716 Sixth Appellate District

**VAN'T ROOD v. COUNTY OF SANTA CLARA**

Time extended to grant or deny review

to March 26, 2004

**S121547**

A102615 First Appellate District,  
Division Four

**PEOPLE v. VICK**

Time extended to grant or deny review

to March 29, 2004

**S121552**

B161773 Second Appellate District,  
Division Six

MARTINEZ v. COMBS

Time extended to grant or deny review

to and including March 29, 2i004

**S121599**

B165648 Second Appellate District,  
Division Five

HOOL v. VILLAGE

Time extended to grant or deny review

to March 26, 2004

**S121612**

H025428 Sixth Appellate District  
H025406  
H025513  
H025569

PEOPLE v. S.C. (ANDRADES)

Time extended to grant or deny review

to March 30, 2004

**S121619**

A104130 First Appellate District,  
Division One

EVERGREEN CREDIT REPORTING INC. v. S.C.  
(PADUANO)

Time extended to grant or deny review

to April 1, 2004

**S121676**

B162961 Second Appellate District,  
Division Five

STERLING v. TAYLOR

Time extended to grant or deny review

to April 1, 2004.

**S121707**

A100627 First Appellate District,  
Division Three

WOODSON v. LEGACY PARTNERS 2323 L.P.

Time extended to grant or deny review

to April 1, 2004

**S121713**

C040553 Third Appellate District

PATERNO v. RECLAMATION DISTRICT 784

Time extended to grant or deny review

to April 1, 2004.

**S121717**

D040361 Fourth Appellate District,  
Division One

ABH INVESTMENTS v. NARVEN ENTERPRISES

Time extended to grant or deny review

to April 1, 2004

**S121723**

F040188 Fifth Appellate District  
F040529

**JOHNSON v. FORD MOTOR COMPANY**

Time extended to grant or deny review

to April 1, 2004

**S112816**

G027714 Fourth Appellate District,  
G027834 Division Three

**VENDANTA SOCIETY v. CALIFORNIA QUARTET**

Extension of time granted

To April 15, 2004 to file appellant/respondent's  
{Vedanta Society of Southern California} reply  
briefs on the merits

**S114888**

F038004 Fifth Appellate District

**PARNELL v. ADVENTIST HEALTH SYSTEM/WEST**

Extension of time granted

to March 29, 2004 for Association of Calif  
Insurance Companies Personal Insurance  
Federation of Calif. to serve & file the amicus  
curiae brief. No further extensions of time will  
be granted. An answer to the amicus brief may  
be served & filed by any party within 20 days of  
the filing of the brief.

**S115154**

A095474 First Appellate District,  
Division Five

**YANOWITZ v. L'OREAL USA**

Extension of time granted

to March 26, 2004 to file appellant's response to  
amicus curiae brief filed by California  
Employment Law Council.

**S117568**

B153072 Second Appellate District,  
Division Seven

**PEOPLE v. CARSON**

Extension of time granted

to March 16, 2004 for respondent to file the  
reply brief on the merits. No further extensions  
of time will be granted.

**S118489**

B163651 Second Appellate District,  
Division Eight

**GOMEZ v. S.C. (DISNEY)**

Extension of time granted

to March 12, 2004 for petitioner to file the  
answer brief on the merits.

**S122121**B160896 Second Appellate District,  
Division FiveALHAMBRA POLICE OFFICERS ASSN. v. CITY  
OF ALHAMBRA POLICE DEPT.  
Extension of time granted

Respondent's time to serve and file the answer to petition for review is extended to and including February 25, 2004.

**S114888**

F038004 Fifth Appellate District

PARNELL v. ADVENTIST HEALTH SYSTEM/WEST  
Order filed

The request of respondents for an extension of the time for the filing of all amicus curiae applications and briefs is hereby DENIED without prejudice to the filing of a future request for extension of time to file a consolidated answer brief to the amicus briefs.

**S122696**MCKINNEY v. S.C.; PEOPLE  
Transferred to CA 2

for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

**S120481**KROLOWEC ON DISCIPLINE  
Recommended discipline imposed

It is ordered that **ARTHUR CHARLES KRALOWEC, State Bar No. 53916**, be suspended from the practice of law for six months, that execution of the suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its decision filed on August 12, 2003. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with

Business & Professions Code section 6086.10  
and payable in accordance with Business &  
Professions Code section 6140.7.

**S120905**

**BARNARD ON DISCIPLINE**

Recommended discipline imposed

It is ordered that **BETTYE JEWEL BARNARD, State Bar No. 65129**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that she be placed on probation for three years on condition that she be actually suspended for 30 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed September 25, 2003, as modified by its order filed on November 19, 2003. Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2005, 2006, 2007 and 2008.

**S120906**

**BEHRENS ON DISCIPLINE**

Recommended discipline imposed: disbarred

It is hereby ordered that **RICHARD JOHN BEHRENS, State Bar No. 79764**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S120907****FOX ON DISCIPLINE**

Recommended discipline imposed: disbarred

It is hereby ordered that **BEN E. FOX, State Bar No. 98171**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S120908****NEHORAY ON DISCIPLINE**

Recommended discipline imposed

It is ordered that **SIAMAK E. NEHORAY, State Bar No. 147168**, be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for 30 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed October 8, 2003. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and one-half of said costs shall be added to and become part of the membership fees for the years 2005 and 2006. (Bus.& Prof. Code, § 6086.10.)

**S120909****KHAVARIAN ON DISCIPLINE**

Recommended discipline imposed: disbarred

It is hereby ordered that **KOOROS JAMES KHAVARIAN, State Bar No. 171550**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with

rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar. \*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S120910****SHIM ON DISCIPLINE**

Recommended discipline imposed: disbarred

It is hereby ordered that **JOHN HYONSUB SHIM, State Bar No. 150873**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. **John Hyonsub Shim** is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar. \*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S120911****TURNER ON DISCIPLINE**

Recommended discipline imposed

It is ordered that **ANTHONY JOHN TURNER, State Bar No. 139355**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on September 30, 2003. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

**S122654****SAMBOL ON RESIGNATION**

Resignation accepted with disc. proceeding pending

The voluntary resignation of **CHARLES MATT SAMBOL, State Bar No. 114570**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.\* Costs are awarded to the State Bar.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)